

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. National Phase Application)
of International Application No.:)
PCT/IB2002/005216) Group Art Unit: Not Yet Assigned
Inventors: Vincenzo BOFFA et al) Examiner: Not Yet Assigned
Application No.: 10/538,192)
Filed: June 9, 2005)
For: METHOD FOR OPTIMIZING THE)
POSITIONING OF HIGH)
SENSITIVITY RECEIVER FRONT-)
ENDS IN A MOBILE TELEPHONY)
NETWORK AND RELATED)
MOBILE TELEPHONY NETWORK)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION OF FACTS UNDER 37 C.F.R. § 1.47(b)
BY LAURA RIBERO

I, Laura Riberi, hereby declare as follows:

1. I am employed in the Industrial Property Rights Function, Telecom Italia S.p.A., Turin Office, Via G. Reiss Romoli 274, Torino, Italy. One of my responsibilities is to assist in the processing of Telecom Italia patent applications to be filed in the United States and Canada.
2. On or about September 13, 2005, I sent by priority mail, a copy of the U.S. Declaration and Power of Attorney, the Assignment (for the United States) and the Canadian Assignment already signed by some of the inventors, to Enrico Giovanardi

PATENT
Customer No. 22,852
Serial No.: 10/538,192
Attorney Docket No.: 05788.0365

who terminated employment with Telecom Italia on January 31, 2004, at the following address:

Enrico Giovanardi
Via Carducci 54
41041 Formigone (Modena)
Italy

I did not make a copy of the documents for my files, and accordingly, a copy of the documents which I sent to Mr. Giovanardi is not available since Mr. Giovanardi never returned the documents. A copy of the post-it note which I made on September 13, 2005, is attached hereto and identified as EXHIBIT 1, and reads "Originals to Giovanardi 13/9/05". (see translation of EXHIBIT 1).

3. I conducted e-mail correspondence with Mr. Giovanardi (addressed to a private e-mail address) at enrico.giovanardi@libero.it regarding the documents, and in particular, asking him to sign the documents.

The first e-mail from me to Mr. Giovanardi (identified as EXHIBIT 2) dated September 30, 2005, asked him if he had received the documents to be signed. (see translation of EXHIBIT 2).

The second e-mail from me to Mr. Giovanardi (identified as Exhibit 3) dated October 14, 2005, pointed out that the deadline (for the signed documents) was getting close. (see translation of EXHIBIT 3).

The third e-mail is from Mr. Giovanardi to me (identified as EXHIBIT 4) dated October 15, 2005, stated that he was overseas and that he would contact me via e-mail when he came back to Italy. (see translation of EXHIBIT 4).

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The fourth e-mail is from me to Mr. Giovanardi (identified as EXHIBIT 5) dated November 22, 2005, wherein I asked him if he was still traveling and to let me know when he would return to Italy. (see translation of EXHIBIT 5).

The fifth e-mail is from me to Mr. Giovanardi (identified as EXHIBIT 6) dated December 20, 2005, asking him again when he would be able to sign the documents which I sent to him in September. (see translation of EXHIBIT 6).

4. In mid-January 2006, I made a telephone call to Mr. Giovanardi at which time he told me that he would not sign the documents. I do not have a written record of the telephone call.

5. On or about August 28, 2006, I sent the foregoing e-mails identified in EXHIBITS 2-6 to Sabrina Bedini of the Industrial Property Rights Function of Telecom Italia Group via e-mail as evidenced by the e-mail address at the top of each of EXHIBITS 2-6. In the e-mail to Sabrina Bedini dated August 28, 2006, wherein I forwarded my e-mail of December 20, 2005, (see translation of EXHIBIT 6), I indicated that Mr. Giovanardi had told me via telephone that he would not sign the documents (which included the Declaration and Power of Attorney, the United States Assignment and the Canadian Assignment).

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that the willful false statements and the like so made are punishable by fine or imprisonment, or both, under

PATENT
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Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed: 
Laura Ribero

Dated: June 6, 2007

Originals to
GIOVANARDI 13/9/05

Evidence 8

ORIGINALE A

GIOVANNARDI 13/9/05

Bedini Sabrina, IT

EVIDENCE 1

From: Ribero Laura, IT
Sent: Monday, August 28, 2006 9:58
To: Bedini Sabrina, IT
Subject: FW: Doc.

From: Ribero Laura, IT
Sent: Friday, September 30, 2005 08:56
To: 'enrico.giovanadri@libero.it'
Subject: Doc.

Dear Enrico,

Did the documents reach you yet? Would you pls. let me know?

Thanks.

Laura Ribero
Tel. 011 2285678

EVIDENCE 1**Bedini Sabrina, IT**

From: Ribero Laura, IT
Sent: Monday, August 28, 2006 9:58
To: Bedini Sabrina, IT
Subject: FW: Doc.

From: Ribero Laura, IT
Sent: Friday, September 30, 2005 08:56
To: 'enrico.giovanardi@libero.it'
Subject: Doc.

30/09/05

Ciao Enrico,

ti sono arrivati i documenti? P.f. mi fai sapere?

Grazie

Laura Ribero
Tel. 011 2285678

From: Ribero Laura, IT
Sent: Monday, August 28, 2006 9:58
To: Bedini Sabrina, IT
Subject: FW: Doc.

From: Ribero Laura, IT
Sent: Friday, October 14, 2005 08:56
To: 'enrico.giovanadri@libero.it'
Subject: Doc. 10/14/05

Hi Enrico,

The colleague in Milan has asked me what stage the documents are at that I sent you: the filing deadline is getting close.

Would you pls. let me know?

Thanks

Laura.

EVIDENCE 2

Bedini Sabrina, IT

From: Ribero Laura, IT
Sent: Monday, August 28, 2006 9:58
To: Bedini Sabrina, IT
Subject: FW: Doc.

From: Ribero Laura, IT
Sent: Friday, October 14, 2005 10:11
To: 'enrico.glovanardi@libero.it'
Subject: Doc.

14/10/05

Ciao Enrico,

la collega di Milano mi ha chiesto a che punto sono i documenti che ti ho inviato: si avvicina la scadenza di deposito

P.f. mi fai sapere?

Grazie

Laura

From: Ribero Laura, IT
Sent: Monday, August 28, 2006 9:58
To: Bedini Sabrina, IT
Subject: FW: Doc.

-----Original Message -----
From: enrico.giovanardi [mailto:enrico.giovanardi@libero.it]
Sent: Saturday, Ocotober 15, 2005 01:46
To: Ribero, Laura, IT
Subject: Re:Doc.

10/15/05

I'm sorry but I'm overseas on business.
I'll send you an e-mail when I get back.

Hi Enrico,

The colleague in Milan has asked me what stage the documents are at that I sent you:
the filing deadline is getting close.

Would you pls. let me know?

Thanks

Laura.

=
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e-mail, by replying or go to www.pirelli.com on "contact us".

EVIDENCE B

Bedini Sabrina, IT

From: Ribero Laura, IT
Sent: Monday, August 28, 2006 9:58
To: Bedini Sabrina, IT
Subject: FW: Doc.

-----Original Message-----

From: enrico.giovanardi [mailto:enrico.giovanardi@libero.it]
Sent: Saturday, October 15, 2005 01:48
To: Ribero Laura, IT
Subject: Re:Doc.

15/10/05

mi spiace ma sono all'estero per lavoro
ti mando una mail quando torno

> Ciao Enrico,
>
> la collega di Milano mi ha chiesto a che punto sono i documenti che ti ho inviato: si
avvicina la scadenza di deposito
>
> P.f. mi fai sapere?
>
> Grazie
>
> Laura
>
>
>
>
> =====
> CONFIDENTIALITY NOTICE
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> This message and its attachments (if any) may contain confidential,
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> the use of the addressee named above. No confidentiality or privilege
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> notified that you must not use, disseminate, copy it in any form or take
> any action in reliance on it. If you have received this message in error,
> please, delete it (and any copies of it) and kindly inform the sender, of this
> e-mail, by replying or go to www.pirelli.com on "contact us".
> =====

From: Ribero Laura, IT
Sent: Monday, August 28, 2006 10:00
To: Bedini Sabrina, IT
Subject: FW: Doc.

From: Ribero, Laura, IT
Sent: Tuesday, November 22, 2005 16:27
To: 'enrico.giovanardi'
Subject: Doc. 11/22/2005

Dear Enrico,

Are you still traveling? If so, would you please let me know until when?

Laura Ribero

EVIDENCE 4

Bedini Sabrina, IT

From: Ribero Laura, IT
Sent: Monday, August 28, 2006 10:00
To: Bedini Sabrina, IT
Subject: FW: Doc.

From: Ribero Laura, IT
Sent: Tuesday, November 22, 2005 16:27
To: 'enrico.giovanardi'
Subject: Doc.

22/11/2005

Ciao Enrico,

Sei ancora in trasferta? Se sì mi potresti dire fino a quando?

Laura Ribero

Bedini Sabrina, IT

EVIDENCE 6

From: Ribero Laura, IT
Sent: Monday, August 28, 2006 10:03
To: Bedini Sabrina, IT
Subject: FW:

Sabrina,

This is the last e-mail that I sent him, and I then talked to him on the phone when he told me that he would not have signed

Bye,
Laura

From: Ribero, Laura, IT
Sent: Tuesday, December 20, 2005 11:04 12/20/05 EVIDENCE 5
To: 'enrico.giovanardi@libero.it'
Subject:

Hi Enrico,

Pls. let me know when you will be able to sign the documents I sent you in mid-September? It would help me in being able to carry out the filing for extension in the U.S.A.

Thanks and best wishes for the holidays.

Laura.

Bedini Sabrina, IT

From: Ribero Laura, IT
Sent: Monday, August 28, 2006 10:03
To: Bedini Sabrina, IT
Subject: FW:

EVIDENCE 6

sabrina,

qs è l'ultima mail che gli ho inviato, l'avevo sentito in seguito per telefono dove mi aveva detto che non avrebbe firmato....

ciao

laura

From: Ribero Laura, IT
Sent: Tuesday, December 20, 2005 11:04
To: 'enrico.giovanardi@libero.it'
Subject:

20/12/05

EVIDENCE 5

Ciao Enrico,

Pf mi far sapere quando potrai firmare i documenti che ti ho inviato a metà settembre?
Mi sarebbe di aiuto per poter procedere con la pratica per l'estensione in USA

Ti ringrazio e ti auguro Buone Feste

Laura